

REMARKS

This Response is submitted in reply to the non-final Office Action dated February 16, 2011. Claims 37 to 48 are pending in the present application. Claims 1 to 36 stand previously canceled. Claims 37 to 48 are rejected under 35 U.S.C. §103(a). Claims 37, 39, 41 and 45 are amended herein for clarity. No new matter has been added by these amendments. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing. Applicants respectfully submit that the rejections have been overcome, as set forth in detail below.

The Office Action rejected Claims 37 to 48 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2001/0053247 to Sowinski et al ("Sowinski") in view of U.S. Patent No. 6,821,034 to Ohmura ("Ohmura") and further in view of U.S. Publication No. 2002/0145755 to Yamazaki et al. ("Yamazaki"). In light of the present amendments, Applicants respectfully disagree with and traverse these rejections as discussed below, and respectfully request that these rejections be withdrawn.

Applicants note that independent Claim 37 has been amended to recite, at least in part, at least one memory device storing a plurality of instructions which when executed by the at least one processor, cause the at least one processor to operate with the user terminal, the server and the print system in response to the predetermined sample image being selected to cause the printer system to execute print processing for subsequent images transmitted from the user terminal to the server based on the first image processing mode stored by said server. Support for these amendments can be found, for example, in paragraphs 15, 16 and 40 to 43 of the specification and in Figure 5.

Sowinski in view of Ohmura in view of Yamazaki fails to render obvious, at least one memory device storing a plurality of instructions which when executed by the at least one processor, cause the at least one processor to operate with the user terminal, the server and the print system in response to the predetermined sample image being selected to cause the printer system to execute print processing for subsequent images transmitted from the user terminal to the server based on the first image processing mode stored by said server, in combination with the other elements of Claim 37.

For at least this reason, it is respectfully submitted that independent Claim 37 is patentably distinguished over Sowinski in view of Ohmura in view of Yamazaki and is in condition for allowance. Dependent Claims 38 to 40 depend directly from amended independent Claim 37 and are also allowable for the reasons given with respect to Claim 37 and because of the additional features recited in these claims.

Independent Claims 41 and 45 each include certain similar elements to independent Claim 37. For reasons similar to those discussed above with respect to independent Claim 37, independent Claims 41 and 45 (and dependent Claims 42 to 44 and 46 to 48) are patentably distinguished over Sowinski in view of Ohmura in view of Yamazaki and in condition for allowance.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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Dated: May 16, 2011